

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 4698 of 1998

Between:

V. Rang reddy, S/o. Narasimha Reddy,
R/o. 8-4-162, Ganesh Nagar,
Karimnagar.

..... PETITIONER

AND

- 1 Superintendent of police,
Kharimnagar, Karimnagar Dist.
- 2 Sub- Inspector of Police, II Town
Karimnagar, Karimnagar Dist.
- 3 Sri Alle Srinivas ,
Jagtyal , Karimnagar Dist.

(R3- Dismissed For Default As Per Court Order dt.4/9/2001)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an Appropriate Writ, more in the Nature of Mandamus, declaring the action of the Respondents in calling the petitioner to the police station without there being any crime registered against the petitioner, at the behest of the 3rd Respondent, as being arbitrary, illegal, unconstitutional and issue an consequential direction directing the Respondents not to harass the petitioner by calling him to the police station without following due process of law and issue such other Writ, order or direction as the Hon'ble High Court deems fit and proper in the Circumstances of the case.

Counsel for the Petitioner: MR.D.BHASKAR REDDY (Not present)

Counsel for the Respondent Nos.1 and 2: GP FOR HOME

Counsel for the Respondent No.3: --

The Court made the following :

ORDER:

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None appears for the petitioner. Heard the learned Government Pleader.

The petitioner filed this writ petition seeking to declare the action of respondent Nos.1 and 2 in calling him to police station at the behest of respondent No.3, without there being any crime registered against him, as being arbitrary and illegal, and consequently to direct the respondents not to harass him by calling him to police Station without following due process of law.

A counter affidavit is filed on behalf of the second respondent denying the allegations made in the affidavit filed in support of the writ petition. It is stated that the dispute, which the third respondent had with the petitioner's son by name Ravinder Reddy, but not with the petitioner, is purely a civil dispute and the police are in no way concerned with it. It is also stated that the second respondent advised both the petitioner and the third respondent to settle their dispute outside the police station and that police have no jurisdiction to entertain such matters.

In view of the averment in the counter-affidavit filed on behalf of the second respondent that the dispute between the petitioner's son and the third respondent is purely a civil dispute and the police have no jurisdiction to entertain such a dispute, no cause survives in this writ petition, and no orders are required to be passed.

Therefore, the writ petition is dismissed as having become infructuous. No costs.

N.V. RAMANA, J

Date: 04-03-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

- 1 The Superintendent of police,
Kharimnagar, Karimnagar Dist.
- 2 The Sub- Inspector of Police, II Town
Karimnagar, Karimnagar Dist.
- 3 Two C.Cs to the Government Pleader for Home,
High Court Buildings, Hyderabad.
- 4 Two C.D. copies.

*Form-NIC-OGS/WP{**RAGHU**}*